



Dr. Alan Lloyd  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Los Angeles Region

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Arnold Schwarzenegger  
Governor

Ms. Belinda Kwan  
Los Angeles County Department of Public Works  
900 South Fremont Avenue  
Alhambra, California 91803-1331

### **WATER QUALITY CERTIFICATION FOR PROPOSED SAN DIMAS CANYON SPREADING GROUNDS RESTORATION PROJECT (Corps' Project No. 2006-00528- KW), SAN DIMAS WASH, CITY OF SAN DIMAS, LOS ANGELES COUNTY (File No. 06-013)**

Dear Ms. Kwan:

Regional Board staff has reviewed your request on behalf of Los Angeles County Department of Public Works for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on March 2, 2006.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Valerie Carrillo, Lead, Section 401 Program, at (213) 576-5733.

\_\_\_\_\_[Original signed by]\_\_\_\_\_  
Jonathan S. Bishop  
Executive Officer

\_\_\_\_\_  
May 24, 2006  
Date

**California Environmental Protection Agency**



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*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

## **DISTRIBUTION LIST**

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## ATTACHMENT A

### Project Information File No. 06-013

1. Applicant: Los Angeles County Department of Public Works  
P.O. Box 1490  
Alhambra, CA 91802-1460  
  
Phone: (626) 458-6100      Fax: (626) 979-5436
2. Applicant's Agent: Belinda Kwan  
Los Angeles County Department of Public Works  
900 South Fremont Avenue  
Alhambra, CA 91803-1331  
  
Phone: (626) 458-6135      Fax: (626) 979-5436
3. Project Name: San Dimas Canyon Spreading Grounds Restoration
4. Project Location: San Dimas, Los Angeles County  
Longitude: 117° 47' 36.35"; Latitude: 34° 07' 31.88"
5. Type of Project: Spreading ground restoration
6. Project Description: *Purpose:*  
The overall purpose of the proposed project is to reconstruct the San Dimas Canyon Spreading Grounds. The spreading grounds basins, earthen channel and the culverts underneath Romola Avenue were either damaged or washed out by spillway flows from the upstream Puddingstone Diversion Dam during the January 2005 Storm Disaster. The basin levees, earthen channel, and culverts under Romola Avenue need to be repaired and restored.  
  
*Description:*  
The project will restore water conservation efforts of approximately 1600 acre-feet per year, and allow emergency vehicle access from San Dimas Canyon Road to the neighborhood adjacent to the spreading grounds facility. The project will also prevent potential erosion of the channel behind residential property located below the spillway of Puddingstone Diversion Dam.

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The Applicant proposes to restore the project within two stages. During the first stage four 24-inch CMP culverts beneath Romola Avenue will be extended and the wash regraded to accommodate the passage of low flow beneath Romola Avenue during the 2005-06 storm season. During the second stage of the facility restoration, the culverts will be replaced with the same size or larger culverts to ensure the passage of flow. Earth-moving equipment will be used within San Dimas Wash to repair the basin levees and earthen channel, to reconfigure the damaged basins, and create channels to convert water to the basins. Regrading will result in one channel to direct major storm flow and spillway flow. One to two low-flow (less than 50 cubic feet per second) channels will be constructed to convey water to the spreading basins. It is expected that large flows (greater than 2,000 cfs) will wash out the spreading basins. To increase spreading efficiency and reduce maintenance efforts, the basins will be reconfigured within the existing footprint resulting in fewer and larger basins. The exact configuration and number of basins and channels will be determined during the final design. Native material on-site and from the upstream San Dimas Sediment Placement Site or Dalton Sediment Placement Site will be used to repair the basin levees. The second phase of the project is scheduled to begin in 2007 or 2008.

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|---|--|
| 7. Federal<br>Agency/Permit:                              | U.S. Army Corps of Engineers<br>NWP No. 31 (Permit No. 2006-00528-KW)  |
| 8. Other Required<br>Regulatory Approvals:                | California Department of Fish and Game<br>Streambed Alteration Agreement   |
| 9. California<br>Environmental Quality<br>Act Compliance: | The proposed project is Categorical Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 (Replacement or Reconstruction). |
| 10. Receiving Water:                                      | San Dimas Wash (Hydrologic Unit No. 405.41)  |

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|--|---|
| 11. Designated Beneficial Uses:                                      | MUN*, GWR, REC-1, REC-2, WARM, WILD, RARE<br><br>*Conditional beneficial use  |
| 12. Impacted Waters of the United States:                            | Non-wetland waters (unvegetated streambed): 30 temporary acres (2100 linear feet)   |
| 13. Dredge Volume:   | None  |
| 14. Related Projects Implemented/to be Implemented by the Applicant: | Puddingstone Diversion Reservoir, which is located immediately upstream of the spreading grounds, was cleaned out in August 2003 in the wake of 2002 Williams Fire. Approximately 135,000 cubic yards of sediment were removed from the reservoir and trucked to San Dimas Sediment Placement Site. Biological monitoring and surveys were conducted in project vicinity before, during and after the clean out projects. Permits obtained were: Streambed Alteration Agreement from California Department of Fish and Game; 401 Water Quality Certification from California Regional Water Quality Control Board, Los Angeles Region; and Nationwide Permit No. 31 from the Army Corps of Engineers. The reservoir is expected to be cleaned out again in 2007 or 2008 depending on the amount of sediment brought in by the storm seasons since the 2003 clean out. |
| 15. Avoidance/Minimization Activities:                               | <p>The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:</p> <ul style="list-style-type: none"><li>• The Applicant will ensure that no degradation of water quality occurs beyond the proposed project area as a result of earth moving and construction activities within spreading grounds</li><li>• Hydrocarbon spill (spill) prevention and response methods will be implemented during the project.</li><li>• If a spill should occur, the Applicant will immediately notify appropriate agencies.</li><li>• Work sites will be clearly flagged or staked to avoid potential</li></ul>  |

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impacts to adjacent natural habitats or sensitive areas.

- Staging and storage areas for equipment and materials will be located outside of all waters.
- All inflows of surface water shall be redirected whenever possible away from areas undergoing construction.

#### 16. Required Compensatory Mitigation:

The Applicant has proposed to hydroseed the levees of the restored San Dimas Wash (3.4 Acres) along the banks of the spreading grounds with native seed mix to offset any potential impacts due to construction and to protect the earthen levees from erosion/scouring.

*See Attachment B Conditions of Certifications, Additional Conditions for modifications and additions to the above proposed compensatory mitigation.*

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### Conditions of Certification File No. 06-013

#### STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

#### ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and Game's (CDFG) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this certification, the CDFG's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 15, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification, the approved maintenance plan, and all other regulatory approvals for this

## **ATTACHMENT B**

### **Conditions of Certification File No. 06-013**

project on site at all times, and shall be familiar with all conditions set forth. These documents shall be available upon request to any staff from this Regional Board.

6. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses. Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
8. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
9. All waste and/or dredged material removed shall be relocated to a legal point of disposal if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact Rodney Nelson, Land Disposal Unit, at (213) 620-6119 for further information.
10. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
11. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.
12. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.



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13. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a **five-day (5-day) clear weather forecast** before conducting any operations within waters of the State. If rain is predicted, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site. The Applicant shall not conduct any maintenance activities within waters of the State during a rainfall event, or at any period when site conditions would lead to excessive erosion. If any maintenance activities are to be held within five (5) days of a predicted rainfall event, the Applicant shall stage materials necessary to prevent water degradation on site, and shall ensure that all stabilization procedures are completed prior to the rainfall event.
14. Sediment removal at each phase shall not go beyond the extent as defined in the application packet.
15. The grading, stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
16. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.
17. All project, construction, or maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting. Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.
18. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** (plan) to this Regional Board. The plan shall include the proposed method and duration of diversion activities, structure configuration, construction materials, equipment, erosion and sediment controls,

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and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:

- pH
- temperature
- dissolved oxygen
- turbidity
- total suspended solids(TSS)
- Downstream TSS shall be maintained at ambient levels
- Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be monitored for on a daily basis during the first week of diversion and/or dewatering activities, and then on a weekly basis, thereafter, until the in-stream work is complete.

Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

19. The Applicant shall restore all areas of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
20. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary impacts within **30.00 acres** waters of the United States by revegetation with native species at a minimum **1:0.113** area replacement ratio (**3.4 acres**). The mitigation areas shall be clearly identified on a map of suitable quality and shall be defined by latitude and longitude. This information shall be submitted to this Regional Board for approval prior to any disturbance within waters of the United States and shall include copies of any agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

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21. All open space and mitigation areas shall be placed within a conservation easement to ensure preservation in perpetuity. Documentation of proper easement placement shall be submitted to the Regional Board within one year.
22. The Applicant shall submit to this Regional Board **Annual Mitigation Monitoring Reports** by **January 1<sup>st</sup>** of each year for a minimum period of **five (5) years** after planting or until mitigation success has been achieved. The report shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. This report shall include as a minimum, the following documentation:
  - (a) Color photo documentation of the pre- and post-project and mitigation site conditions;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
  - (c) The overall status of project including a detailed schedule of work;
  - (d) Copies of all permits revised as required in Additional Condition 1;
  - (e) Water quality monitoring results (as required) compiled in an easy to interpret format;
  - (f) A certified Statement of “no net loss” of wetlands associated with this project;
  - (g) Discussion of any monitoring activities and exotic plant control efforts; and
  - (h) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
23. Prior to any subsequent maintenance activities within the subject drainages, including clearing, maintenance by-hand, and/or the application of pesticides, the Applicant shall submit to this Regional Board a NOTIFICATION of any such activity. Notification shall include: (a) the proposed schedule; (b) a description of the drainage’s existing condition and/or capacity; (c) the area of proposed temporary impact within waters of the State; (c) a description of any existing aquatic resources (e.g., wetland/riparian vegetation); and (d) any proposed compensatory mitigation. Notifications must be submitted a minimum of **three (3) weeks** prior to commencing work activities.

**Conditions of Certification**  
**File No. 06-013**

25. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

Executed on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

28. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. 01-182. This includes the Standard Urban Storm Water Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment. The project shall also comply with all requirements of

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the National Pollutant Discharge Elimination System (NPDES) **General Permit** for Storm Water Discharges Associated with Construction Activity, Order No. 99-08-DWQ. All stormwater treatment systems shall be located outside of any water of the State and shall not be used as a wetland or riparian mitigation credit.

29. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.
30. The Applicant or their agents shall report any noncompliance. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
31. *Enforcement:*
  - (a) In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.
  - (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.

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32. In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
33. This Certification shall expire five (5) years from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.